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# Westmoreland Defends His War Stewardship

## General Takes Stand in Libel Suit

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NEW YORK, Nov. 15—Straight-backed, his voice authoritative, retired Army general William C. Westmoreland took command of the witness stand today in his latest battle—this one defending his record 17 years ago as commander of ground forces in Vietnam.

In the first day of what may be a week of off-and-on testimony in his \$120 million libel action against CBS Inc., Westmoreland provided a packed federal courtroom with a series of specific denials of sections of a 1982 documentary that he says defamed him by charging that his command "cooked" enemy troop figures.

Westmoreland told the jury that a key document he supposedly ordered changed—a thick analysis of enemy troop data called the official Order of Battle—is not one he remembers ever using in his daily duties in Vietnam.

"I was aware of it," he said. "It was available in my office, but I don't ever recall having an occasion to refer to it."

Westmoreland said he was concerned primarily with daily or "current" intelligence, whereas the Order of Battle was "historic data, and it was not something that was useful to me."

The general also said that categories of "irregular" enemy troops that CBS said he ordered dropped from the official summary were not recognized at the time as "fighters, the people we wanted to destroy in a military way."

"We're not fighting these people; they're basically civilians," he recalled telling his intelligence officer, who tried to get the home guard units increased in official estimates in May 1967.

The 70-year-old general, looking remarkably fit, also presented the jury with a dramatic personal contrast to the view of him they saw on the CBS broadcast "The Uncounted

Enemy: A Vietnam Deception" when it aired almost three years ago.

On the show and in an unedited version of his May 1981 interview with CBS that was shown today after his live testimony, the general seemed occasionally defensive, irritated by questions from interviewer Mike Wallace. When he stumbled over answers, the cameras sometimes moved in close, framing his face from his eyebrows to just below the chin.

On the stand, however, Westmoreland seemed more confident, even offering rare moments of humor in this complicated trial.

At one point he was asked whether his personal calendar included the names of all the people he talked to each day.

"Not necessarily," said the general, the barest flicker of a smile on his normally stern face. "I could have talked to people in the hall. I could have talked to people in the latrine."

In contrast to previous witnesses such as retired Central Intelligence Agency official George Carver, who spoke in long and convoluted sentences, Westmoreland made his case clearly and without hesitation.

For example, one primary issue in the trial is whether CBS was correct in saying that Westmoreland tried to suppress from his superiors—including President Lyndon B. Johnson—higher troop data that the general himself once described as a potential "political bombshell" in those tumultuous war years.

Westmoreland testified that he had, in effect, two direct superiors, neither of whom was the president. They were Ellsworth Bunker, the U.S. ambassador in Vietnam, and Adm. U.S. Grant Sharp, commander in chief of the Pacific forces.

Westmoreland said Sharp was his "military boss" and Bunker was his civilian boss and technically a representative of the president.

"Did you have any reporting obligation to the Joint Chiefs of Staff?" his lawyer Dan M. Burt asked him.

"No," Westmoreland replied.

"Did you have a reporting obligation to the secretary of defense?"

"No."

"Did you have a reporting obligation to the president of the United States?"

"No," the general said, adding that Bunker and Sharp "were my two bosses and I was obligated to report to them and to them only."

Westmoreland also described in new detail a key May 1967 meeting with his intelligence chief, Maj. Gen. Joseph McChristian, who is expected to be a key witness for CBS.

He said McChristian came to him one evening and presented a draft telegram showing that the "home guard militia" were far more numerous than shown in the Order of Battle summary.

CBS lawyer David Boies has said repeatedly that the fact that Westmoreland did not pass on the McChristian cable was evidence that higher enemy troop figures were being suppressed.

But Westmoreland described the evening meeting as "irregular" because he had had no advance briefing on the data. He said he held the cable and asked for more data because he thought the cable would be "misinterpreted by people not familiar with the details . . ."

Westmoreland added that he disagreed with McChristian on the status of the home guard troops because he was spending four days a week in the field and had heard almost nothing about them from his officers.

After going through his war record Westmoreland was asked if he had ever been disciplined in his 40 years in the military.

The general thought a moment and then said, "Well, I guess I have."

The first time, he said, was as a second lieutenant at Fort Sill, Okla., where he was reprimanded for paying his commissary bill more than five days late.

The second was in Hawaii where he was caught three times going over 20 mph in a 10 mph zone.

Did he have any other disciplinary actions on his record, he was asked.

"I think I can say categorically I have not," he replied.

*Special correspondent John Kennedy contributed to this report.*